IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9454 of 2005

Between:

Nandamagari Sanjeeva Reddy S/o. Seshi Reddy
R/o.Addampalli Village, Kurnool District.

..... PETITIONER

AND

1 The District Collector/ District Election Authority, Water Users Association, Minor Irrigation Systems, Kurnool.
2 Mandal Revenue Officer/The Authorized Officer, Sanjamala Mandal Water Users Association, Addampalli Village, Sanjamala Mandal, Kurnool District.
3 M. Lakshmi Reddy The Election Officer (M.E.O.) Sanjamala,
Sanjamala Mandal, Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of certiorari calling for records and quashing the action of respondents in conducting the Election to the Minor Irrigation Tank to the Akkampalli Water Users Association on 25-4-2005 violating the mandatory conditions for finalizing the correct names of voters eligible to be members of the Water Users Association of Akkampalli Village minor Irrigation tank, of Sanjamala Mandal, Kurnool as contemplated under A.P. Farmers Management of Irrigation systems act and rules 2003 as illegal, arbitrary and violative of principles of natural justice or to pass such other order or orders as the Honourable Court deems fit and proper.

Counsel for the Petitioner:MR.J.VENUGOPAL RAO

Counsel for the Respondents: GP FOR IRRIGATION & COMM. AREA DEVELOPMENT.

The Court made the following :

ORDER:

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This writ petition is filed seeking a *writ of certiorari* to call for the records and to declare the action of the respondents in conducting the Election to the Minor Irrigation Tank of the Akkampalli Water Users Association on 25.04.2005 violating mandatory conditions for finalizing the correct names of voters eligible to be members of the Water Users Association of Akkampalli village Minor Irrigation Tank of Sanjamala Mandal, Kurnool as contemplated under A.P. Farmers management of Irrigation Systems Act and Rules 1997, as arbitrary and illegal.

Inasmuch as the writ petition is filed after issuance of election notification notifying the schedule of the election, this Court cannot entertain the same under Article 226 of the Constitution of India. Hence, the writ petition is dismissed. No order as to costs.

(ELIPE DHARMA RAO,J)

Dated:25.04.2005

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To

1 The District Collector/ District Election Authority, Water Users Association, Minor Irrigation Systems, Kurnool.
2 Mandal Revenue Officer/The Authorized Officer, Sanjamala Mandal Water Users Association, Akkampalli Village, Sanjamala Mandal, Kurnool District.
3 M. Lakshmi Reddy The Election Officer (M.E.O.) Sanjamala,
Kurnool District.

4 2 CCs to the G.P. for Irrigation & Command Area Development, High Court of A.P., Hyderabad. (OUT)

3 2 CD copies.